

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 CASSIE CORDELL TRUEBLOOD, et
11 al.,

12 Plaintiffs,

13 v.

14 WASHINGTON STATE
DEPARTMENT OF SOCIAL AND
HEALTH SERVICES, et al.,

15 Defendants.
16

CASE NO. C14-1178 MJP

ORDER RE: JUNE 2017 STATUS
HEARING

17
18 Representatives of the parties attended a status conference in courtroom of the Honorable
19 Marsha J. Pechman on **June 5, 2017**. In the course of the discussion updating various aspects of
20 the parties' efforts to implement the Court's orders in this matter, the Court ordered the
21 following:
22
23
24

- 1 • **Expansion** (opening new facilities)
 - 2 ○ **F3 and S4:** DSHS should be ready to post and recruit for new staff
 - 3 immediately upon receipt of CMS certification, with a plan for these
 - 4 facilities to be ready to receive 45 additional patients by mid-October.
 - 5 This assumes CMS certification by June 10, 2017. If certification is
 - 6 delayed, the date of occupancy will be delayed accordingly.
 - 7 ○ **Building 27:** The Court Monitor is to hire an expert to evaluate what
 - 8 construction is necessary to convert the building from current
 - 9 programming to accepting class members. The expert's evaluation report
 - 10 should include a timetable for licensure and construction; DSHS is to
 - 11 continue to plan for increased staffing levels in the building based on that
 - 12 timetable, with the goal being that occupancy can occur upon completion
 - 13 of any renovations necessary.
 - 14 ○ **Eastern State Hospital:** DSHS is to explore whether the former
 - 15 contractor and architect who previously did work on the facility can be
 - 16 engaged to perform a modification of the structure. By mid-August 2017,
 - 17 there should be plans in place for (1) licensure and construction and (2)
 - 18 hiring of new staff.
 - 19 ○ **Building 29:** DSHS is to share with the Court Monitor and Plaintiffs
 - 20 plans for accelerating the timetable for civil patients vacating the facility
 - 21 so that additional beds can be used by class members. The plan should be
 - 22 ready for the next exchange of documents for the August 2017 review.
 - 23
 - 24

- **Bed flow analysis:** The Court Monitor is ordered to contract for the preparation of this report and may use funds from the contempt fines for that purpose.
- **In-jail evaluations:** By the next hearing, a report must be submitted which covers in-jail evaluations, including (1) the use of evaluators to come into compliance with the Court's orders, and (2) pinpointing barriers to compliance and solutions for coming into compliance.

The Court reminds that parties that the vacating of the Maple Lane and Yakima facilities is still contemplated and remains dependent on the parties' good faith and concrete progress towards the opening of Buildings F3, S4 and 27, as well as Eastern State Hospital.

Triage and fund expenditures for Phases I and II will also be on the Court's August agenda. The next status review hearing will occur by conference call and will be held on **August 11, 2017, at 9:00 a.m.** The Court's deputy clerk will distribute contact information for the conference call in advance of the review hearing.

The clerk is ordered to provide copies of this order to all counsel.

Dated June 5, 2017.



Marsha J. Pechman
United States District Judge